REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons which follow. Claims 1, 2, and 5-25 stand rejected. Claim 1 has been amended for clarity. Claim 5 has been amended to present claims of varying scope. Accordingly Claims 1, 2, and 5-25 are pending in the application.

Claim Rejections - 35 U.S.C. § 102

In Section 4 of the Office Action, the Examiner rejected Claims 1, 2, 4-7, 10-14, 16-25 under 35 U.S.C. 102(b) as being anticipated by Teicher et al. (U.S. Patent No. 5,933,813).

The Examiner stated

> Teicher discloses a data processor system for promoting sales of products includes price storage devices for storing basic price information; criteria storage devices for storing predetermined criteria to be used in determining sales promotion prices (which is seen to read as Applicant's claimed invention wherein it is stated that a system for selling or pricing a product), the system comprising: a data collection system configured to collect data relating to the product, including product location (see., abstract, lines 1-10, specifically wherein it is stated that a data processor for promoting sales of products includes price storage devices for storing basic price information...., please note that the basic price information also includes the basic price of the products);
> a pricing system in electronic communication with the data collection system, the pricing system configured to at least one of sell and price the product, based on the product location data (see., abstract, specifically wherein it is stated that a data processor for promoting sales of products includes price storage devices for storing basic price information; criteria storage devices for storing predetermined criteria to be used in determining sales promotion prices. Applicant should duly note that the basic price information also includes sell and basic price of the products and the product location, and also col. 1, lines 36-50, col. 2, lines 16-34, col. 3, lines 52-67, col. 4, lines 1-28).

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Independent Claim 1

Independent Claim 1, as amended, recites "a system for selling or pricing a risk-based product related to an object" including among other limitations, "a data collection system configured to collect data relating to the product, including object location data."

Teicher does not disclose, teach or suggest "a system for selling or pricing a risk-based product related to an object" having "a data collection system configured to collect data relating to the product, including object location data" as recited in independent Claim 1. The pricing system disclosed in Teicher is designed to set sale prices of products within a sales outlet based on criteria such as sales volumes, current inventory, and category of purchasers (col. 1, lines 52-60). The Teicher pricing system is not configured to, nor does it disclose, teach or suggest, setting prices of a risk-based product based on the location of an object associated with the risk-based product. The system of Claim 1 uses location data of an object to generate the price of a risk-based product associated with the object. The criteria used in the Teicher pricing system do not include the location of the object associated with the risk-based product as recited in Claim 1.

Regarding Applicant's previously submitted arguments, the Examiner stated in Section 7

> Applicant argues that the prior art of record do not teach or suggest alone or in combination: "a system for selling or pricing a product in electronic communication with a data collection system and having a pricing system that is configured to price a product based on the location of the product", as specified by the Examiner in the Office action mailed on 4/15/2002, this limitation is disclosed by Teicher in the abstract, specifically wherein it is stated that a data processor system for promoting sales of products includes price storage devices for storing basic price information; criteria storage devices for storing predetermined criteria to be used in determining sales promotion prices, applicant should duly note that the price information and the promotion prices can also provide the location of the product, since the promoting sales are stored into the price storage devices (which is seen to read to Applicant's

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claimed invention wherein it is stated that a system for
selling or pricing a product)

The Applicants specifically traverse the Examiner's assertion that "this limitation
is disclosed by Teicher in the abstract" and that "the price information and the
promotion prices can also provide the location of the product, since the promoting
sales are stored into the price storage devices." Teicher does not disclose, teach or
suggest that the "the price information and the promotion prices can also provide the
location of the product." The statement "the price information and the promotion
prices can also provide the location of the product" is not supported in Teicher.

Teicher does not disclose, teach or suggest all of the limitations of independent
Claim 1. Accordingly, independent Claim 1 (and dependent Claims 2, 4-7) are not
anticipated by Teicher and are therefore allowable.

· Independent Claim 10

Independent Claim 10 recites "a method of calculating a price associated with a
risk protection product" including among other limitations, "receiving data related to a
subject that is associated with the risk protection product, the data received from a
remote location" and "processing the data in accordance with predetermined risk
data."

Teicher does not disclose, teach or suggest "a method of calculating a price
associated with a risk protection product." Teicher discloses a system used to sell
products in a sales outlet with electronic displays for displaying prices (Claim 1).
Teicher does not disclose "receiving data related to a subject that is associated with
the risk protection product, the data received from a remote location." Further, Teicher
does not disclose "processing the data in accordance with predetermined risk data."
There is no predetermined risk data stored anywhere in the Teicher system for
processing the received data related to a subject that is associated with the risk
protection product. Teicher does not disclose receiving the data from a remote
location. All the data in Teicher comes from within a sales outlet, not from a remote
location.

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Teicher does not disclose, teach or suggest all of the limitations of independent Claim 10. Accordingly, independent Claim 10 (and dependent Claims 11-14) are not anticipated by Teicher and are therefore allowable.

Independent Claim 16

Independent Claim 16 recites "a method for monitoring a product warranty relating to a product" including among other limitations, "monitoring operational data relating to the product" and "comparing the operational data to at least one operational specification relating to the product."

Teicher does not disclose, teach or suggest "monitoring operational data relating to a product." Operational data may include, among other possibilities, temperature, humidity, hours of operation, time between service, etc. Monitoring operational data is not disclosed in Teicher. Teicher discloses sales data, which is sales volumes data, current inventory data, and category of purchasers data (col. 1, lines 52-60). Further, Teicher does not disclose, teach or suggest "comparing the operational data to at least one operational specification relating to the product."

Teicher does not disclose, teach or suggest all of the limitations of independent Claim 16. Accordingly, independent Claim 16 (and dependent Claim 17) are not anticipated by Teicher and are therefore allowable.

Independent Claim 18

Independent Claim 18 recites "a method for pricing a product" including "receiving information relating to the product via a remote transceiver" and "generating the product price based on the received information."

Teicher does not disclose, teach or suggest "receiving information relating to the product via a remote transceiver." Further, Teicher does not disclose, teach or suggest "generating the product price based on the received information." Teicher discloses in FIG. 8 the use of a wireless communication system for communication with electronic shelf labels and store signs (col. 8, lines 45-61). Teicher does not disclose receiving information relating to the product via a remote transmitter. In addition, Teicher does not disclose generating the product price based on the information received from the remote transmitter.

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Teicher does not disclose, teach or suggest all of the limitations of independent Claim 18. Accordingly, ind pendent Claim 18 (and dependent Claims 19-23) are not anticipated by Teicher and are therefore allowable.

Independent Claim 24

Independent Claim 24 recites "a processing system" including among other limitations, a processor configured to "generate correlated data by correlating the received data to actuarial data" and "generate a price in accordance with the correlated data."

Teicher does not disclose, teach or suggest configuring the CPU to "generate correlated data by correlating the received data to actuarial data." Teicher does not teach the use of actuarial data or risk data to correlate to received data.

Teicher does not disclose, teach or suggest all of the limitations of independent Claim 24. Accordingly, independent claim 24 is not anticipated by Teicher and is therefore allowable.

Independent Claim 25

Independent Claim 25 recites "a processing system" including among other limitations, a processor configured to "collect operational specification data relating to a warranty" and "compare the received data relating to the object, to the operational specification data relating to the warranty."

Teicher does not disclose, teach or suggest configuring the CPU to "collect operational specification data relating to a warranty." Furthermore, Teicher does not disclose, teach or suggest configuring the CPU to "compare the received data relating to the object, to the operational specification data relating to the warranty." The products being sold using the Teicher system do not have or utilize operational specifications.

Teicher does not disclose, teach or suggest all of the limitations of independent Claim 25. Accordingly, independent Claim 25 is not anticipated by Teicher and is therefore allowable.

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<u>Claim Rejections – 35 U.S.C. § 103</u>

In Section 6 of the Office Acti n, the Examiner rejected Claims 8, 9 and 15

under 35 U.S.C. 103(a) as being unpatentable over Teicher et al. (U.S. Patent

5,933,813) in view of Von Kohorn (U.S. Patent No. 5,227,874).

The Examiner stated

> As per claims 8, 9 and 15, Teicher substantially discloses
> the claimed limitations as stated in claim 1 above. It is
> noted that Teicher does not explicitly disclose that the
> product is an insurance, a warranty, and security system.
> However, Von Kohorn discloses a method for the
> evaluation of stimuli such as broadcast commercials
> intended to promote purchases by shoppers. A prize-
> winning respondent can select a product from a listing and
> apply the value of a prize to the purchase price of the
> selected product. Wherein the term product also includes
> insurance, warranties, and security (see., Von Kohorn,
> abstract, col. 47, lines 1-9, col. 97, lines 64-68, col. 98,
> lines 1-64, col. 101, lines 13-19). Accordingly, it would
> have been obvious to a person of ordinary skill in the art at
> the time the invention was made to modify the teaching of
> Teicher by including the limitations detailed above taught
> by Von Kohorn because it is a routine business practice to
> provide insurance and warranty for a product.

Dependent Claims 8 and 9 depend from independent Claim 1. As discussed

above, independent Claim 1 recites a combination including, among other limitations,

"a data collection system configured to collect data relating to the product, including

object location data." The combination taught in Claim 1 (and dependent Claims 8 and

9), having, among other limitations, "a data collection system configured to collect

data relating to the product, including object location data" is not disclosed, taught, or

suggested by <u>Teicher</u> alone or in any proper combination with <u>Von Kohorn</u>.

Accordingly, withdrawal of the rejection under 35 U.S.C. § 103(a) and allowance of

Claims 8 and 9 is respectfully requested.

Dependent Claim 15 depends from independent Claim 10. As discussed above,

independent Claim 10 recites a combination including, among other limitations,

"receiving data related to a subject that is associated with the risk protection pr duct,

the data received from a remote location" and "processing the data in accordance with

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predetermined risk data." The combination taught in independent Claim 10 (and dependent Claim 15), having, among other limitations, "receiving data related to a subject that is associated with the risk protection product, the data received from a remote location" and "processing the data in accordance with predetermined risk data" is not disclosed, taught, or suggested by Teicher alone or in any proper combination with Von Kohorn. Accordingly, withdrawal of the rejection under 35 U.S.C. § 103(a) and allowance of Claim 15 is respectfully requested.

                    *   *   *   *   *

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

                                        Respectfully submitted,

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APPENDIX A

The following are marked up versions of the replacement claims indicated in the Reply and Amendment and in accordance with 37 C.F.R. § 1.121. Applicants have used the convention <u>underline</u> to indicate added text and [square brackets] to indicate deleted text.

1   1.   (Once Amended) A system for selling or pricing a <u>risk-based</u> product
2   <u>related to an object</u>, the system comprising:
3   a data collection system configured to collect data relating to the
4   product, including [product] <u>object</u> location data; and
5   a pricing system in electronic communication with the data collection
6   system, the pricing system configured to at least one of sell and price the product,
7   based on the [product] <u>object</u> location data.

8   5.   (Once Amended) The system of Claim 1, wherein the data relating to the
9   product is data relating to at least one <u>of a</u> selected operational parameter,
10 <u>temperature, humidity, hours of operation, and time between service.</u>